

Franchise and Concession Review Committee Public Hearing
April 10, 2017

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PUBLIC HEARING
FRANCHISE AND CONCESSION REVIEW COMMITTEE
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2 Lafayette Street
New York, New York 10007

Monday, April 10, 2017
2:30 p.m.

APPEARANCES:

- Mayor: Peter Hatch
- Office of the Mayor: Benjamin Furnas
- Corporation Counsel: Isabel Galis-Menendez
- Office of Management and Budget: Yvonne Quintian
- Comptroller: Susie Sohn
- Manhattan Borough President: James Caras
- Brooklyn Borough President: Tonya Cantlo-Cockfield
- Bronx Borough President: Tom Luciania
- Queens Borough President: Angelina Martinez-Rubio
- Staten Island Borough President: Lashay Young
- Clerk: Stephanie Ruiz

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MR. HATCH: Good afternoon. The
public hearing will now come to order.

Will the clerk please call the role?

MS. RUIZ: Mayor.

MR. HATCH: Here.

MS. RUIZ: Office of the Mayor.

MR. FURNAS: Here.

MS. RUIZ: Comptroller.

MS. SOHN: Here.

MS. RUIZ: Corporation Counsel.

MS. GALIS-MENENDEZ: Here.

MS. RUIZ: Office of Management and
Budget.

MS. QUINTIAN: Here.

MS. RUIZ: President, Borough of the
Bronx.

MR. LUCIANIA: Here.

MS. RUIZ: President, Borough of
Brooklyn.

MS. CANTLO-COCKFIELD: Here.

MS. RUIZ: President, Borough of
Manhattan.

MR. CARAS: Here.

MS. RUIZ: President, Borough of

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Queens.

MS. MARTINEZ-RUBIO: Here.

MS. RUIZ: President, Borough of
Staten Island.

MS. YOUNG: Here.

MR. HATCH: Welcome to this public
hearing of the Franchise and Concession
and Review Committee.

The hearing being conducted today has
been publicly advertised in accordance
with New York City Charter and Concession
Rules of City of New York.

We want to be sure that anyone
desiring to be heard has the opportunity
to do so. All persons wishing to speak
must fill out a request slip, which may be
obtained from the Clerk. Each speaker
will be allotted approximately three
minutes. When you testify, please state
your name and affiliation, if any.

You may also submit written testimony
to the Clerk, which will be made part of
the record. Any written submissions must
be made to the Clerk before the close of

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the public hearing.

Will the Clerk please call the first calendar item.

MS. RUIZ: New York City Department of Parks and Recreation, Calendar Item No. 1: In the matter of the intent to award as a concession for the operation, renovation and maintenance of a full service marina at Mill Basin, Brooklyn, New York, for a 12-year term to Mill Basin Marina Co., LLC.

MR. HATCH: Does anyone wish to testify?

(No response.)

MR. HATCH: If not, will the Clerk please call the second calendar item.

MS. RUIZ: New York City Department of Parks and Recreation, Calendar Item No. 2: In the matter of intent to award as a concession for the renovation, operation and maintenance of a parking lot at Orchard Beach, Pelham Bay Park, Bronx for a potential 15-year term to Parking Services Plus, Inc.

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MR. HATCH: Does anyone wish to testify?

(No response.)

MR. HATCH: Will the Clerk please call the third calendar item.

MS. RUIZ: New York City Department of Parks and Recreation, Calendar Item No. 3: In the matter of the intent to award as a concession for the operation and maintenance of a ferry service at Gangway Six in The Battery, Manhattan for a potential six-year term to New York Trans Harbor LLC d/b/a New York Water Taxi.

MR. HATCH: Does anyone wish to testify?

(No response.)

MR. HATCH: Will the Clerk please call the fourth calendar item.

MS. RUIZ: New York City Department of Parks and Recreation, Calendar Item No. 4: In the matter of the intent to award as a concession for the renovation, operation and maintenance of an outdoor

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recreation facility located at 215
Schmidts Lane, Staten Island for a
potential 15-year term to New York
Carousel Entertainment LLC.

Please be advised that at the request
of the agency, this item will be held over
to the May 8, 2017 FCRC public hearing,
which will takes place on the 14th floor
auditorium of 2 Lafayette Street,
Manhattan, at 2:30 p.m.

Any change to this schedule which
will result in a public hearing being
scheduled prior to the May 8th FCRC public
hearing will be noticed in the City Record
and in newspapers as required by
Section 371 of the New York City Charter.

MR. HATCH: Although this item has
been held over, we will take testimony
from anyone wishing to testify.

(No response.)

MR. HATCH: Well if no one else
wishes to speak, that concludes today's
hearing.

We ask the Reporter to make the

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entire Public Hearing Agenda, which was made publicly available and distributed at this hearing, part of the final record of the proceeding.

The hearing is now closed. Thank you.

(Time noted: 2:34 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)
) ss.:
COUNTY OF QUEENS)

I, NICOLE ELLIS, a Notary Public for and within the State of New York, do hereby certify:

I reported the proceedings in the within-entitled matter, and that the within transcript is a true record of such proceedings.

I further certify that I am not related to any of the parties to this action by blood or by marriage and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 13th day of April 2017.

Nicole Ellis
NICOLE ELLIS

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<p align="center">A</p> <p>action (1) 8:12 advertised (1) 3:11 advised (1) 6:6 affiliation (1) 3:21 afternoon (1) 2:2 agency (1) 6:7 Agenda (1) 7:2 allotted (1) 3:19 Angelina (1) 1:17 APPEARANCES (1) 1:8 approximately (1) 3:19 April (2) 1:6 8:16 auditorium (1) 6:10 available (1) 7:3 AVENUE (1) 1:23 award (4) 4:8,20 5:10,24</p>	<p>COUNTY (1) 8:4</p> <p align="center">D</p> <p>d/b/a (1) 5:14 day (1) 8:16 Department (4) 4:5,18 5:7,21 desiring (1) 3:15 distributed (1) 7:3</p> <p align="center">E</p> <p>E (2) 8:1,1 ELLIS (2) 8:6,19 Email (1) 1:25 Entertainment (1) 6:5 entire (1) 7:2 entitled (1) 8:9</p>	<p align="center">J</p> <p>James (1) 1:14</p> <p align="center">K</p> <p align="center">L</p> <p>Lafayette (2) 1:4 6:10 Lane (1) 6:3 Lashay (1) 1:18 LLC (3) 4:12 5:14 6:5 located (1) 6:2 lot (1) 4:22 Luciania (2) 1:16 2:18</p>
<p align="center">B</p> <p>Basin (2) 4:10,11 Battery (1) 5:12 Bay (1) 4:23 Beach (1) 4:23 Benjamin (1) 1:10 blood (1) 8:12 Borough (10) 1:14,15,16,17,18 2:16,19,22,25 3:4 Bronx (3) 1:16 2:17 4:23 Brooklyn (3) 1:15 2:20 4:10 Budget (2) 1:12 2:14</p>	<p align="center">F</p> <p>F (1) 8:1 facility (1) 6:2 FACSIMILE (1) 1:24 FCRC (2) 6:8,14 ferry (1) 5:11 fill (1) 3:17 final (1) 7:4 first (1) 4:3 floor (1) 6:9 fourth (1) 5:20 Franchise (2) 1:3 3:8 full (1) 4:9 Furnas (2) 1:10 2:8 further (1) 8:11</p>	<p align="center">M</p> <p>maintenance (4) 4:9,22 5:11,25 MAMARONECK (2) 1:23,23 Management (2) 1:12 2:13 Manhattan (4) 1:14 2:23 5:12 6:11 marina (2) 4:10,12 marriage (1) 8:13 Martinez-Rubio (2) 1:17 3:3 matter (6) 4:7,20 5:9,23 8:9,14 Mayor (4) 1:9,10 2:5,7 Mill (2) 4:10,11 minutes (1) 3:20 Monday (1) 1:6</p>
<p align="center">C</p> <p>C (2) 8:1,1 calendar (8) 4:4,6,17,19 5:6,8,20 5:22 call (5) 2:4 4:3,17 5:6,20 Cantlo-Cockfield (2) 1:15 2:21 Caras (2) 1:14 2:24 Carousel (1) 6:5 certify (2) 8:7,11 change (1) 6:12 Charter (2) 3:12 6:17 City (8) 3:12,13 4:5,18 5:7,21 6:15 6:17 clerk (9) 1:19 2:4 3:18,23,25 4:3,16 5:5,19 close (1) 3:25 closed (1) 7:6 come (1) 2:3 Committee (2) 1:3 3:9 Comptroller (2) 1:13 2:9 concession (7) 1:3 3:8,12 4:8,21 5:10,24 concludes (1) 6:23 conducted (1) 3:10 Corporation (2) 1:11 2:11 Counsel (2) 1:11 2:11</p>	<p align="center">G</p> <p>Galis-Menendez (2) 1:11 2:12 Gangway (1) 5:12 Good (1) 2:2</p> <p align="center">H</p> <p>hand (1) 8:16 Harbor (1) 5:14 Hatch (12) 1:9 2:2,6 3:7 4:13,16 5:2,5,16,19 6:18,22 heard (1) 3:15 hearing (12) 1:2 2:3 3:8,10 4:2 6:8 6:13,15,24 7:2,4,6 held (2) 6:7,19 hereunto (1) 8:15</p>	<p align="center">N</p> <p>name (1) 3:21 New (16) 1:5,5,23 3:12,13 4:5,11 4:18 5:7,13,14,21 6:4,17 8:3,7 newspapers (1) 6:16 NICOLE (2) 8:6,19 Notary (1) 8:6 noted (1) 7:8 noticed (1) 6:15</p>
	<p align="center">I</p> <p>intent (4) 4:7,20 5:9,23 interested (1) 8:13 Isabel (1) 1:11 Island (3) 1:18 3:5 6:3 item (10) 4:4,6,17,19 5:6,8,20,22 6:7,18</p>	<p align="center">O</p> <p>obtained (1) 3:18 Office (4) 1:10,12 2:7,13 operation (4) 4:8,22 5:10,25 opportunity (1) 3:15 Orchard (1) 4:23 order (1) 2:3 outcome (1) 8:14 outdoor (1) 5:25</p> <p align="center">P</p> <p>p.m (3) 1:6 6:11 7:8 Park (1) 4:23 parking (2) 4:22,24 Parks (4) 4:6,19 5:8,22 part (2) 3:23 7:4 parties (1) 8:12 Pelham (1) 4:23 persons (1) 3:16</p>

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<p>Peter (1) 1:9 place (1) 6:9 please (7) 2:4 3:20 4:3,17 5:5,19 6:6 Plus (1) 4:25 potential (3) 4:24 5:13 6:4 President (10) 1:14,15,16,17,18 2:16,19,22,25 3:4 prior (1) 6:14 proceeding (1) 7:5 proceedings (8) 2:1 3:1 4:1 5:1 6:1 7:1 8:8,10 public (9) 1:2 2:3 3:7 4:2 6:8,13,14 7:2 8:6 publicly (2) 3:11 7:3</p>	<p>STENO-KATH (1) 1:22 stenokath@verizon.net (1) 1:25 Stephanie (1) 1:19 Street (2) 1:4 6:10 submissions (1) 3:24 submit (1) 3:22 sure (1) 3:14 Susie (1) 1:13</p>	<p align="center">0</p> <hr/> <p align="center">1</p> <hr/> <p>1 (1) 4:7 10 (1) 1:6 10007 (1) 1:5 10543 (1) 1:23 12-year (1) 4:11 139 (1) 1:23 13th (1) 8:16 14th (1) 6:9 15-year (2) 4:24 6:4</p>
<p align="center">Q</p> <hr/> <p>Queens (3) 1:17 3:2 8:4 Quintian (2) 1:12 2:15</p>	<p align="center">T</p> <hr/> <p>T (2) 8:1,1 take (1) 6:19 takes (1) 6:9 Taxi (1) 5:15 term (4) 4:11,24 5:13 6:4 testify (5) 3:20 4:14 5:3,17 6:20 testimony (2) 3:22 6:19 Thank (1) 7:6 third (1) 5:6 three (1) 3:19 Time (1) 7:8 today (1) 3:10 today's (1) 6:23 Tom (1) 1:16 Tonya (1) 1:15 Trans (1) 5:14 transcript (1) 8:9 true (1) 8:10</p>	<p align="center">2</p> <hr/> <p>2 (3) 1:4 4:20 6:10 2:30 (2) 1:6 6:11 2:34 (1) 7:8 2017 (3) 1:6 6:8 8:16 212 (1) 1:24 215 (1) 6:2</p>
<p align="center">R</p> <hr/> <p>R (1) 8:1 record (4) 3:24 6:15 7:4 8:10 recreation (5) 4:6,19 5:8,22 6:2 related (1) 8:11 renovation (3) 4:9,21 5:24 reported (1) 8:8 Reporter (1) 6:25 REPORTING (1) 1:22 request (2) 3:17 6:6 required (1) 6:16 response (4) 4:15 5:4,18 6:21 result (1) 6:13 Review (2) 1:3 3:9 role (1) 2:4 Ruiz (15) 1:19 2:5,7,9,11,13,16,19 2:22,25 3:4 4:5,18 5:7,21 Rules (1) 3:13</p>	<p align="center">U</p> <hr/> <p align="center">V</p> <hr/> <p align="center">W</p> <hr/> <p>want (1) 3:14 Water (1) 5:14 way (1) 8:13 Welcome (1) 3:7 WHEREOF (1) 8:15 wish (3) 4:13 5:2,16 wishes (1) 6:23 wishing (2) 3:16 6:20 within- (1) 8:8 WITNESS (1) 8:15 written (2) 3:22,24</p>	<p align="center">3</p> <hr/> <p>3 (1) 5:9 371 (1) 6:17 381-2061 (1) 1:24</p> <p align="center">4</p> <hr/> <p>4 (1) 5:23</p>
<p align="center">S</p> <hr/> <p>schedule (1) 6:12 scheduled (1) 6:14 Schmidts (1) 6:3 second (1) 4:17 Section (1) 6:17 service (2) 4:10 5:11 Services (2) 1:22 4:25 set (1) 8:15 Six (1) 5:12 six-year (1) 5:13 slip (1) 3:17 Sohn (2) 1:13 2:10 speak (2) 3:16 6:23 speaker (1) 3:18 ss (1) 8:3 state (3) 3:20 8:3,7 Staten (3) 1:18 3:5 6:3</p>	<p align="center">X</p> <hr/> <p>X (2) 1:2,4</p> <p align="center">Y</p> <hr/> <p>York (16) 1:5,5,23 3:12,13 4:5,11 4:18 5:7,13,14,21 6:4,17 8:3,7 Young (2) 1:18 3:6 Yvonne (1) 1:12</p>	<p align="center">5</p> <hr/> <p align="center">6</p> <hr/> <p align="center">7</p> <hr/> <p>722-0816 (1) 1:24</p> <p align="center">8</p> <hr/> <p>8 (1) 6:8 8th (1) 6:14</p> <p align="center">9</p> <hr/> <p>914 (2) 1:24,24 95-DEPOS (1) 1:24 953-3767 (1) 1:24</p>
	<p align="center">Z</p> <hr/>	

PUBLIC HEARING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

MONDAY, APRIL 10, 2017 @ 2:30 P.M.

2 LAFAYETTE STREET, NEW YORK, NY

NOTE: INDIVIDUALS REQUESTING SIGN LANGUAGE INTERPRETERS SHOULD CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES, 253 BROADWAY, 9TH FL., NEW YORK, NEW YORK, N.Y. 10007 (212) 788-7490, NO LATER THAN SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD USERS SHOULD CALL VERIZON RELAY SERVICE.

*Franchise and Concession Review Committee Joint Public Hearing
Monday, April 10, 2017 @ 2:30 P.M.*

NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION

No. 1: **IN THE MATTER** of the intent to award as a concession for the operation, renovation and maintenance of a full service marina at Mill Basin, Brooklyn, New York, for a twelve (12) year term, to Mill Basin Marina Co., LLC. Compensation to the City will be as follows: for each operating year of the license, Mill Basin Marina Co., LLC shall pay the City a fee consisting of the higher of a minimum annual fee (Year 1: \$158,655; Year 2: \$166,588; Year 3: \$174,917; Year 4: \$183,663; Year 5: \$192,846; Year 6: \$202,489; Year 7: \$212,613; Year 8: \$223,224; Year 9: \$234,406; Year 10: \$246,126; Year 11: \$258,432; Year 12: \$271,354) vs. 35% of Gross Receipts up to and including \$690,000 and 20% of Gross Receipts greater than \$690,000.

NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION

No. 2: **IN THE MATTER** of the intent to award as a concession for the renovation, operation and maintenance of a parking lot at Orchard Beach, Pelham Bay Park, Bronx ("Licensed Premises"), for a potential fifteen (15) year term, to Parking Services Plus, Inc. Compensation to the City will be as follows: for each operating year, Parking Services Plus, Inc. shall pay to the City license fees consisting of the greater of a guaranteed minimum annual fee versus a percentage of gross receipts (Year 1: \$165,000.00 vs. 15%; Year 2: \$165,000.00 vs. 15%; Year 3: \$165,000.00 vs. 15%; Year 4: \$165,000.00 vs. 15%; Year 5: \$165,000.00 vs. 15%; Year 6: \$735,000.00 vs. 68%; Year 7: \$771,750.00 vs. 68%; Year 8: \$810,337.50 vs. 68%; Year 9: \$850,854.38 vs. 68%; Year 10: \$893,397.09 vs. 68%; Year 11: \$938,066.95 vs. 68%; Year 12: \$984,970.30 vs. 68%; Year 13: \$1,034,218.81 vs. 68%; Year 14: \$1,085,929.75 vs. 68%; Year 15: \$1,140,226.24 vs. 68%).

NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION

No. 3: **IN THE MATTER** of the intent to award as a concession for the operation and maintenance of a ferry service at Gangway Six in The Battery, Manhattan (“Licensed Premises”), for a potential six (6) year term, to New York Trans Harbor LLC d/b/a New York Water Taxi. Compensation to the City will be as follows: for each operating year, New York Trans Harbor LLC d/b/a New York Water Taxi shall pay to the City license fees consisting of the greater of a guaranteed minimum annual fee versus a percentage of gross receipts (Year 1: \$125,000.00 vs. 10%; Year 2: \$132,500.00 vs. 10%; Year 3: \$140,450.00 vs. 10%; Year 4: \$148,877.00 vs. 10%; Year 5: 157,809.62 vs. 10%; Year 6: \$167, 278.19 vs. 10%).

NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION

No. 4: **IN THE MATTER** of the intent to award as a concession for the renovation, operation and maintenance of an outdoor recreation facility located at 215 Schmidts Lane, Staten Island (“Licensed Premises”), for a potential fifteen (15) year term, to NY Carousel Entertainment, LLC. Compensation to the City will be as follows: for each operating year, NY Carousel Entertainment, LLC shall pay to the City license fees consisting of the greater of a guaranteed minimum annual fee versus a percentage of gross receipts (Year 1: \$51,950.00 vs. 12%; Year 2: \$56,106.00 vs. 12%; Year 3: \$60,594.00 vs. 12%; Year 4: \$65,442.00 vs. 12%; Year 5: \$70,677.00 vs. 12%; Year 6: \$75,625.00 vs. 12%; Year 7: \$80,919.00 vs. 12%; Year 8: \$86,583.00 vs. 12%; Year 9: \$92,644.00 vs. 12%; Year 10: \$98,202.00 vs. 12%; Year 11: \$104,094.00 vs. 12%; Year 12: \$110,340.00 vs. 12%; Year 13: \$115,857.00 vs. 12%; Year 14: \$121,650.00 vs. 12%; Year 15: \$127,732.00 vs. 12%).